

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/096,113	06/11/98	HOYLER	G P98.0318

CR
HILL AND SIMPSON
85TH FLOOR SEARS TOWER
CHICAGO IL 60606

LMC1/0828

EXAMINER

JONES, H

ART UNIT	PAPER NUMBER
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2763

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DATE MAILED:

08/28/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Art Unit: 2763

DETAILED ACTION

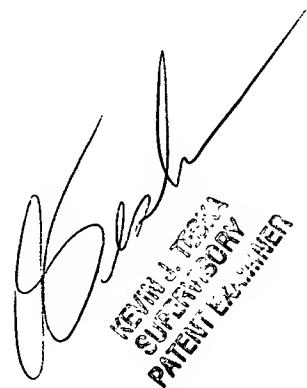
**NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37
CFR 1.192(c)**

1. The brief does not contain a correct copy of the claims involved in the appeal in the Appendix. The appellant's statement of the status of amendments after final rejection contained in the brief is incorrect. The amendment after final rejection filed on 7/27/2000 has not been entered. The issue raised in the amendment would require a new search. Specifically, proposed claim 12, as recited in the brief, is incorrect. The meaning of *stability of a body* is completely different than that of *stability of a method*. The issue of *stability* of a *method* has not previously been an issue of discussion. Furthermore, the proposed claim language appears to contain 112(2) issues as well - especially in light of Representative's remarks (first page of the amendment) such as "*converging at the poles*" which are confusing. Finally, there is ~~at~~ least one minor grammatical error in the claims (see line 2 of claim 19).
2. Appellant is required to comply with provisions of 37 CFR 1.192(c).
3. To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 1.192(c) within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from

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the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Hugh Jones whose telephone number is (703) 305-0023.



William J. Tracy
SUPPLY ADVISORY
PATENT EXAMINER

Dr. Hugh Jones

August 25, 2000